

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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AGA MEDICAL CORPORATION,

Plaintiff,

v.

W. L. GORE & ASSOCIATES, INC.,

Defendant.

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) Civil 10-3734 (JNE/JSM)  
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)  
) **DECLARATION OF**  
) **KATHERINE S. RAZAVI**  
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I, Katherine S. Razavi, declare as follows:

1. I am an attorney with the law firm of Faegre Baker Daniels LLP and counsel for Defendant W. L. Gore & Associates, Inc. (“Gore”) in the above-referenced matter. I submit this declaration in support of Gore’s Motion to Exclude the Expert Report and Opinions of Dr. Timothy J. Nantell.

2. Attached hereto as **Exhibit A** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Expert Report of Dr. Timothy J. Nantell, dated January 14, 2013.

3. Attached hereto as **Exhibit B** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Deposition of Dr. Timothy J. Nantell, taken March 1, 2013.

4. Attached hereto as **Exhibit C** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Expert Rebuttal Report on Damages by Donald A. Gorowsky, CPA, CMA, CFF, JD, dated February 15, 2013.

5. Attached hereto as **Exhibit D** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Expert Report of Professor Charles E. Mullins, dated February 15, 2013.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from Charles E. Mullins, *Cardiac Catheterization in Congenital Heart Disease: Pediatric and Adult* (Blackwell Publishing, 2006).

7. Attached hereto as **Exhibit F** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Deposition of Aimee Armstrong, M.D., taken March 9, 2013.

8. Attached hereto as **Exhibit G** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Deposition of Charles E. Mullins, taken March 6, 2013.

9. Attached hereto as **Exhibit H** is a true and correct copy of U.S. Patent 5,944,738.

10. Attached hereto as **Exhibit I** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Deposition of Warren J. Cutright, taken June 20, 2012.

11. Attached hereto as **Exhibit J** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Deposition of Jacob Goble, Ph.D., taken August 15, 2012.

12. Attached hereto as **Exhibit K** (FILED UNDER SEAL) is a true and correct copy of Wilsen N., Watson L., Zahn, E., *A new low profile Nitinol – ePTFE flexible double disc occlusion device* (WLG00001754).

13. Attached hereto as **Exhibit L** (FILED UNDER SEAL) is a true and correct copy of Jeffrey W. Delaney, MD, et al, *The Design and Deployment of the HELEX Septal Occluder*, Congenit Heart Dis. 2006; 1:202-209 (WLG00001815-WLG00001822).

14. Attached hereto as **Exhibit M** (FILED UNDER SEAL) is a true and correct copy of an email from Jake Goble to John Rhodes dated April 29, 2008 (WLG00567990-WLG00567991).

15. Attached hereto as **Exhibit N** (FILED UNDER SEAL) is a true and correct copy of the GORE HELEX Septal Occluder an Imaging Primer (WLG01012670-WLG01012706).

16. Attached hereto as **Exhibit O** is a true and correct copy of a Gore HELEX Septal Occluder brochure – Images of Conformability (WLG00897559-WLG00897562).

17. Attached hereto as **Exhibit P** (FILED UNDER SEAL) is a true and correct copy of Gore's Spring 2008 newsletter Closing Remarks (WLG01866469-WLG01866474).

18. Attached hereto as **Exhibit Q** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Expert Report of Aimee Armstrong, M.D., dated January 14, 2013.

19. Attached hereto as **Exhibit R** (FILED UNDER SEAL) is a true and correct copy of excerpts from the Noninfringement Expert Report of Dr. Alex Javois, dated February 15, 2013.

20. Attached hereto as **Exhibit S** is a true and correct copy of U.S. Patent 8,162,905.

21. Attached hereto as **Exhibit T** is a true and correct copy of U.S. Patent 7,871,659.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: April 10, 2013

/s/ Katherine S. Razavi

Katherine S. Razavi